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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/040,429	01/09/2002	Fred Zacouto	P20918	5316

7055 7590 10/13/2004

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EXAMINER

SNOW, BRUCE EDWARD

ART UNIT PAPER NUMBER

3738

DATE MAILED: 10/13/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Response to Rule 312 Communication	Application No.	Applicant(s)	
	10/040,429	ZACOUTO ET AL.	
	Examiner	Art Unit	
	Bruce E Snow	3738	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

1. ☐ The amendment filed on 16 June 2004 under 37 CFR 1.312 has been considered, and has been:

a) ☐ entered.

b) ☐ entered as directed to matters of form not affecting the scope of the invention.

c) ☐ disapproved because the amendment was filed after the payment of the issue fee.

Any amendment filed after the date the issue fee is paid must be accompanied by a petition under 37 CFR 1.313(c)(1) and the required fee to withdraw the application from issue.

d) ☒ disapproved. See explanation below.

e) ☐ entered in part. See explanation below.

The proposed amendment filed on 6/16/04 under 37 CFR 1.312 has not been entered. The amendment adds new 58-68 which were not previously considered and require further consideration. Further, the amendment requires more than a cursory review of the record and involves materially added work on the part of the Office. Finally, applicant failed to state why the claims were not presented earlier. See MPEP 714.16.



**BRUCE SNOW
PRIMARY EXAMINER**